

REMARKS

Applicant respectfully traverses the 35 U.S.C § 112, second paragraph rejection of claim 1. Claim 1 has been amended, and now recites the element “the second polarity in the second cell.” In view of the amendment, the rejection under U.S.C. § 112, second paragraph is now moot.

Applicant also traverses the 35 U.S.C. § 102(b) rejection of claims 29-32 and 35 over U.S. Patent 4,521,498 to Juergens. As recited, e.g., in amended claims 1, 29, and 35, a battery comprises, among other elements, a plurality of cells aligned axially along a generally cylindrical core. Juergens, in contrast, discloses an intercell connection for batteries, having multiple spirally wound cell packs with positive and negative windings, where the electrodes have tabs that extend out to connect to the adjacent cell via tabs of opposite polarity. See Juergens, Figures 1 and 3. Juergens does not disclose or suggest a plurality of cells being aligned axially along a common core as recited, e.g., in claims 1, 29, and 35.

Applicant further traverses the 35 U.S.C. § 103(a) rejection of claims 1-3, 5, 6, 8, 9, 25-28, 33, and 34 over Juergens in view of U.S. Patent 6,287,719 to Bailey; and the 35 U.S.C. § 103(a) rejection of claim 7 over Juergens in view of Bailey and further in view of U.S. Patent 6,312,848 to Kilb. Juergens neither discloses nor suggests a plurality of cells aligned axially along a common core. Bailey discloses a pair of battery cells, each having positive and negative electrodes connected in series, but Bailey does not disclose or suggest overlapping electrodes having the curved edge configurations, or a plurality of cells being aligned axially along a common core as recited, e.g., in

claims 1, 29, and 38. Thus, Bailey does not add the features of the claims missing from Juergens.

Kilb also does not disclose or suggest a plurality of cells being aligned axially along a common core, so no combination of Juergens, Bailey, or Kilb, establishes a prima facie case of obviousness under § 103(a). M.P.E.P. § 2141.


In view of the foregoing remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the references cited against this application. Applicant therefore requests reconsideration of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: September 17, 2008

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